

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		)
		)
	Michael L. Davis, et al.	)
		)
Serial No.:	09/916,866	) Art Unit
		) 2193
Filed:	July 27, 2001	)
		)
Confirmation No.:	1589	)
		)
For:	AUTOMATIC SOFTWARE INSTALLATION ON)	
	HETEROGENEOUS NETWORKED COMPUTER)	
	SYSTEM	)
		)
Examiner:	Lawrence J. Shrader	)
		)
Customer No.:	047973	)

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Declarant, Wesley C. Rosander, represents that he is the Attorney of Record for MICROSOFT CORPORATION, a corporation of the State of Washington, having a principal place of business at One Microsoft Way, Redmond, Washington 98052, and that he is authorized to make this Declaration and execute this Terminal Disclaimer on behalf of MICROSOFT CORPORATION. Declarant further represents that MICROSOFT CORPORATION is the assignee of the entire interest of both the parent application (now U.S. Patent No. 6,282,712) and the above-identified application, as shown by the Assignment (a copy of which is attached hereto

as Exhibit A), which was recorded for the parent application at reel 010600, frame 0406 (shown as Exhibit B) in the records of the U.S. Patent and Trademark Office. Declarant hereby further certifies that the evidentiary documents at Exhibits A & B have been reviewed by him/her, and to the best of the Declarant's knowledge and belief, title is in the Assignee seeking to take action.

The Assignee hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of said U.S. Patent No. 6,282,712 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said U.S. Patent No. 6,282,712, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application that would extend beyond the term of said U.S. Patent No. 6,282,712 in the event that said U.S. Patent No. 6,282,712 later: (a) expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a); (b) has all claims cancelled by a reexamination certificate; or (c) is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

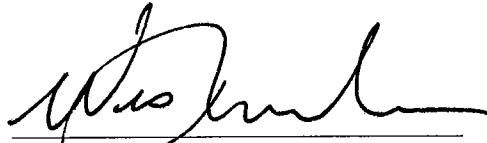
Declarant further declares that all statements made herein of Declarant's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of

the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

DATED this 9<sup>th</sup> day of June, 2006.

Workman Nydegger

By:

A handwritten signature in black ink, appearing to read 'Wesley C. Rosander', written over a horizontal line.

Wesley C. Rosander  
Attorney for Applicant  
Registration No. 51,030  
Customer No. 047973

WCR:lao  
W:\13768\67.16.2\LAM0000003717V001.doc

# EXHIBIT “A”

WHEN RECORDED RETURN TO:

Workman, Nydegger & Seeley  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111

PATENT APPLICATION

Docket No: 13768.67.16.1

Express Mailing Label No. EL 388 123 889 US

## ASSIGNMENT

WHEREAS, we, Michael L. Davis, and Raymond W. McCollum, (hereinafter referred to as ASSIGNORS), having post office addresses of 1738 – 172<sup>nd</sup> Place Northeast, Bellevue, WA 98008, and 16640 – 51<sup>st</sup> Avenue South, Seattle, WA 98188, respectively, are the joint inventors of an invention entitled “AUTOMATIC SOFTWARE INSTALLATION ON HETEROGENEOUS NETWORKED COMPUTER SYSTEMS,” as described and claimed in the specification forming part of an application for United States letters patent executed herewith;

Said invention being disclosed in a United States patent application executed heretofore and now identified as File No. 13768.67.16.1 of the law firm of Workman, Nydegger & Seeley, 1000 Eagle Gate Tower, 60 East South Temple, Salt Lake City, Utah 84111, and filed in the United States Patent and Trademark Office as Serial No. 09/397,480 on September 16, 1999.

WHEREAS, Microsoft Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at One Microsoft Way, Redmond, WA 98052, is desirous of acquiring the entire right, title, and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, and transfer unto said ASSIGNEE, the entire right, title, and interest in and to said invention, said application and any and all letter patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues, and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty, or otherwise, said invention, application, and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer, and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefore.

Dated this 11 day of FEBRUARY, 2000.

*Michael L. Davis*

Michael L. Davis  
~~1738 - 172<sup>nd</sup> Place Northeast~~ 28631 NE Tolt Hill Rd. *MUD*  
~~Bellevue, Washington 98008~~ Carnation WA 98014  
U.S. Citizen

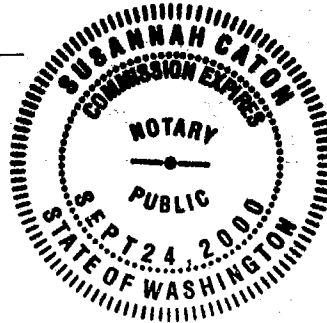
STATE OF WASHINGTON )

: ss.

COUNTY OF KING )

On FEBRUARY 11, 2000, before me personally appeared Michael L. Davis, known to me to be the person described and who signed the foregoing Assignment in my presence and acknowledged under oath before me that he/she has read the same and know the contents thereof and that he/she executed the same as his/her free act and deed and for the purposes set forth therein.

*Susannah Caton*  
\_\_\_\_\_  
NOTARY PUBLIC  
Residing at Seattle, Washington  
My Commission Expires: 9-24-2000



Dated this 19 day of January, 2000.

Raymond W. McCollum

Raymond W. McCollum

~~16640 51<sup>st</sup> Avenue South~~ 8814 Woods Creek Rd.

~~Seattle, Washington 98188~~ Monroe WA 98272

U.S. Citizen

STATE OF WASHINGTON )

: ss.

COUNTY OF KING )

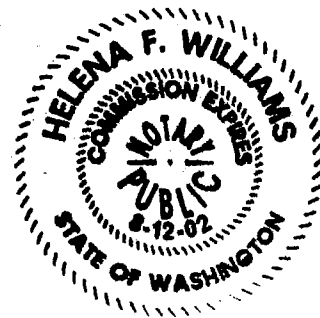
On January 19, 2000, before me personally appeared Raymond W. McCollum, known to me to be the person described and who signed the foregoing Assignment in my presence and acknowledged under oath before me that he/she has read the same and know the contents thereof and that he/she executed the same as his/her free act and deed and for the purposes set forth therein.

Helena F. Williams

NOTARY PUBLIC

Residing at Seattle, Washington

My Commission Expires: 8-12-02



G:\DATA\WPDOCS\SRN\MICROSOFT\OTHER\DOC\67-16-1\ASGN.DOC

# EXHIBIT “B”





**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*101290522A\*

MAY 08, 2000

PTAS

WORKMAN, NYDEGGER & SEELEY  
RICK D. NYDEGGER  
1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UT 84111

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/15/2000

REEL/FRAME: 010600/0406  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
DAVIS, MICHAEL L.

DOC DATE: 02/11/2000

ASSIGNOR:  
MCCOLLUM, RAYMOND W.

DOC DATE: 01/19/2000

ASSIGNEE:  
MICROSOFT CORPORATION  
ONE MICROSOFT WAY  
REDMOND, WASHINGTON 98052

SERIAL NUMBER: 09397480  
PATENT NUMBER:

FILING DATE: 09/16/1999  
ISSUE DATE:

LAWAN FLETCHER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS